

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

COMMODITY FUTURES TRADING COMMISSION,  
Plaintiff(s),

vs

WORLDWIDE MARKETS, LTD.; TAB NETWORKS, INC.;  
THOMAS PLAUT; and ARTHUR DEMBRO,

Defendant(s).

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S T A T E M E N T

November 14, 2023

- - -

REPORTED BY: KATHLEEN SWENOR, RPR, CCR

- - -

TRANSCRIPT of the stenographic notes of  
the proceedings in the above-entitled matter, as  
taken by and before KATHLEEN SWENOR, a Registered  
Professional Reporter, Certified Court Reporter  
and a Notary Public of the State of New Jersey,  
held on November 14, 2023, commencing at 10:30 in  
the morning.

1 A P P E A R A N C E S:

2  
3 COMMODITY FUTURES TRADING COMMISSION  
DIVISION OF ENFORCEMENT

4 BY: JOSEPH PLATT, ESQ.

JON KRAMER, ESQ.

5 JOSEPH KONIZESKI, ESQ.

77 West Jackson Boulevard

6 Chicago, Illinois 60604

Attorneys for Plaintiff(s)

7  
8  
9 GEKAS LAW, LTD

BY: CONSTANTINE "CHRIS" GEKAS, ESQ.

10 33 North LaSalle Street

Chicago, Illinois 60602

11 Attorneys for Defendant(s)

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20  
Also Present: Joseph Patrick, Investigator and  
21 Arthur Dembro  
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E X H I B I T S

NO.	DESCRIPTION	PAGE
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DEPOSITION SUPPORT INDEX

- - -

Direction to Witness Not to Answer

Page Line Description

(None)

Request for Production of Documents

Page Line

(None)

Stipulations

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(None)

Questions Marked

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(None)

1 MR. PLATT: My name is Joseph Platt.  
2 I'm an attorney at the CFTC, which is the  
3 plaintiff in this action. I'm joined by my  
4 colleagues Joseph Konizeski,  
5 K-O-N-I-Z-E-S-K-I, and Joseph Patrick.

6 We are here to conduct the deposition  
7 of defendant TAB Networks, Inc., that is  
8 T-A-B Networks, Inc. pursuant to Federal Rule  
9 of Civil Procedure 30(b)(6).

10 Would any other parties present please  
11 introduce themselves for the record?

12 MR. GEKAS: Chris Gekas. I represent  
13 Arthur Dembro who is here with us today.

14 MR. PLATT: This deposition was  
15 scheduled to take place by videoconference.  
16 Mr. Gekas, do you agree that no witness from  
17 TAB Networks has appeared in the  
18 videoconference?

19 MR. GEKAS: It appears not. I do  
20 agree, yes.

21 MR. PLATT: I would like to introduce  
22 CFTC Exhibit-185, which is in the marked  
23 exhibits folder. Exhibit-185 is an email  
24 dated October 17, 2023 that I sent to a  
25 person named Thomas Plaut, P-L-A-U-T,

1 attaching six documents, two of which are a  
2 deposition subpoena directed to TAB Networks  
3 and a deposition notice concerning this  
4 deposition respectively.

5 ( Exhibit-185, Email dated 10-17-23,  
6 marked for identification, as of this date.)

7 MR. PLATT: I would like to introduce  
8 CFTC Exhibit-189, which is a document  
9 entitled subpoena to testify at a deposition  
10 in a civil action. It was sent to TAB  
11 Networks.

12 ( Exhibit-189, Subpoena, marked for  
13 identification, as of this date.)

14 MR. PLATT: I would like to introduce  
15 CFTC Exhibit-190, which is a notice of  
16 deposition concerning TAB Networks with a  
17 list of topics for examination on its third  
18 page.

19 ( Exhibit-190, Notice of deposition,  
20 marked for identification, as of this date.)

21 MR. PLATT: Since no witness has  
22 appeared to testify on behalf of TAB  
23 Networks, I propose to go off the record and  
24 wait for 15 more minutes to see if anyone  
25 else may appear.

1           Let's go off and rejoin the proceeding  
2           at 10:35 eastern time.

3           (Whereupon there was a recess in the  
4           proceedings from 10:21 to 10:35 a.m.)

5           MR. PLATT: We are back on the record  
6           during the deposition of defendant TAB  
7           Networks, Inc. It is 10:35 eastern time,  
8           about a half an hour after the notice start  
9           time for this deposition. I still don't see  
10          any witness or attorney appearing on behalf  
11          of TAB Networks, Inc.

12          Mr. Gekas, do you agree that no witness  
13          or attorney has appeared on behalf of that  
14          defendant?

15          MR. GEKAS: I do.

16          MR. PLATT: I put in a couple exhibits  
17          earlier that I incorrectly described as  
18          attachments to Exhibit-185. Exhibits 189 and  
19          190 are attachments to a different email. So  
20          I would like to introduce Exhibit-191 and  
21          192, which are copies of the TAB Networks'  
22          deposition subpoena and TAB Networks'  
23          deposition notice.

24          ( Exhibit-191, TAB Networks' subpoena,  
25          marked for identification, as of this date.)



1 ( Exhibit-192, TAB Networks' deposition  
2 notice, marked for identification, as of this  
3 date.)

4 MR. PLATT: I would also like to  
5 introduce Exhibit-193, which is an email from  
6 the Veritext company to me indicating that  
7 credentials for videoconference deposition  
8 were sent to Thomas Plaut's personal email  
9 address.

10 ( Exhibit-193, Email from Veritext,  
11 marked for identification, as of this date.)

12 MR. PLATT: At this time I would like  
13 to go off the record and end the deposition.  
14 Mr. Gekas, do you have any remarks that you  
15 would like to offer for the record?

16 MR. GEKAS: No.

17 Kathy, can you get this to me by  
18 tomorrow?

19 (Time noted: 10:41 a.m.)  
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C E R T I F I C A T E

I do certify that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at this time, place and date hereinbefore set forth.

I do further certify that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

A handwritten signature in black ink, appearing to read 'Kathleen Swenor', with a stylized flourish at the end.

Kathleen Swenor, RPR, CCR

[10-17-23 - exhibit]

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

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THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

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